REMARKS

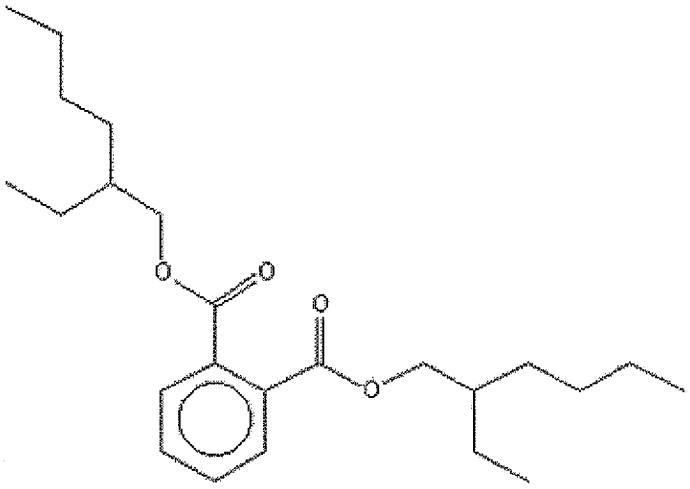
In view of the following remarks, applicant believes the pending application is in condition for allowance. The applicant has amended the specification and inserted the original claim 5 into the text of the specification. The applicant has incorporated claim 5 into claim 1 and claim 15 into claim 4. The applicant believes that since the examiner has searched these claims, that the amended claims do not raise new consideration or require a new search. For the reasons, the applicant respectfully requests that this amendment be entered.

Claims 4, 13, 15-18 are rejected under 35 U.S.C. 102(b) as being anticipated by de Jong, U.S. Patent No. 4,929,475 ("de Jong"). Claims 1-3, 5-7, 12, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Bruchmann et al., U.S. Publication No. 2005/0147834 ("Bruchmann"). The applicant respectfully traverses these rejections.

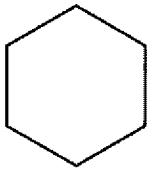
The Examiner appears to misunderstand the fundamental difference between the **benzene**carboxylic esters, such as Platinol AH (ethylhexylphthalate = benzene-1,2-dicarboxylic acid ethylhexylester) disclosed in De Jong which is of the formula

Bis(2-ethylhexyl)phthalate

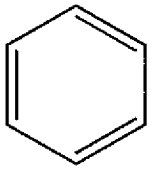
- **CAS Registry Number:** 117-81-7



and the applicant claimed a **cyclohexane**polycarboxylic acid derivative which is ring hydrogenated. The applicant's claimed invention requires a cyclohexane



while the prior art requires a benzene



The benzene ring is unsaturated (has double bonds) while the cyclohexane is saturated (no double bonds). The Examiner failed to recognize the fundamental difference between benzene on the one hand and cyclohexane on the other hand, which is basic chemistry.

The Examiner states at page 7 of the Office action, "applicant admits that ethyhexylphthalate (Platinol AH), disclosed as cyclohexane polycarboxylic acid derivative in the specification". Such is not admitted since, as a matter of fact, ethylhexylphthalate is not disclosed as cyclohexane polycarboxylic acid derivative in the specification. Again, reference is made to page 38, lines 4 to 7 of the specification saying that it is also possible to use the **hydrogenation products** of mixed phthalic acid esters, and that compounds suitable for the purpose of the present invention are the hydrogenation products of the commercially available benzenecarboxylic esters.

Again, the applicant is claiming that the cyclohexanepolycarboxylic acid derivative is selected from the group consisting of ring-hydrogenated mono- and dialkyl esters of phthalic acid, isophthalic acid and terephthalic acid, ring-hydrogenated monoalkyl ester of trimellitic acid, dialkyl ester of trimellitic acid, trialkyl ester of trimellitic acid, trimesic acid and hemimellitic acid, ring-hydrogenated mono-, di-, tri-, and tetraalkyl esters of pyromellitic acid, where the alkyl groups may be linear or branched and in each case have from 1 to 30 carbon atoms, or from the group consisting of two or more of these.

These are specific ring hydrogenated compounds. Consequently, these compounds claimed are different from the polybenzene carboxylic acid esters disclosed in de Jong and Bruchmann, which are ***not*** ring hydrogenated. Therefore, the claims are not anticipated by either de Jong or Bruchmann. Therefore, these rejections should be withdrawn.

In view of the above response, applicant believes the pending application is in condition for allowance.

Applicant believes no additional fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 13838-00003-US from which the undersigned is authorized to draw.

Dated: May 7, 2009

Respectfully submitted,

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